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Filing date: **09/15/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91165449
Party	Defendant GoldWave Incorporated GoldWave Incorporated P.O. Box 51 CAX St. John's, Newfoundland, A1C 5H5
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Submission	Answer
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Date	09/15/2005
Attachments	GOLDWAVE - Answer to Notice of Opposition pg1.pdf (1 page) GOLDWAVE - Answer to Notice of Opposition pg2.pdf (1 page) GOLDWAVE - Answer to Notice of Opposition pg3.pdf (1 page)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 78-413,775
For the Mark GOLDWAVE (stylized)
Published in the Official Gazette on April 12, 2005

BOSE CORPORATION,

Opposer,

v.

GOLDWAVE INCORPORATED

Applicant

Opposition No. 91165449

Honorable Commissioner for Trademarks
Alexandria, Virginia

ANSWER TO NOTICE OF OPPOSITION

Applicant GoldWave Incorporated, by and through its undersigned attorneys, by way of answer to the Notice of Opposition in the within matter by Opposer Bose Corporation, hereby states and alleges as follows:

1. With respect to the allegations contained in Paragraph 1 of the Notice of Opposition, Applicant is without sufficient information or knowledge to form a belief and therefore denies same and leaves Opposer to its strict proof.

2. Applicant admits the allegations contained in Paragraph 2 of the Notice of Opposition.
3. With respect to the allegations contained in Paragraph 3 of the Notice of Opposition, Applicant is without sufficient information or knowledge to form a belief and therefore denies same and leaves Opposer to its strict proof.
4. Applicant admits the allegations contained in Paragraph 4 of the Notice of Opposition.
5. Applicant denies the allegations contained in Paragraph 5 of the Notice of Opposition.
6. Applicant denies the allegations contained in Paragraph 6 of the Notice of Opposition and leaves Opposer.
7. Unless expressly admitted herein, Applicant denies all other allegations contained in the Notice of Opposition.

BY WAY OF AFFIRMATIVE DEFENSES

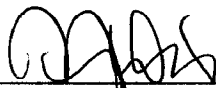
8. The Notice of Opposition fails to state a claim upon which relief can be granted as against the Applicant.
9. The relief sought in the Notice of Opposition is barred by the doctrines of laches, waiver and/or estoppel.

WHEREFORE, Applicant GoldWave Incorporated, respectfully requests that the Notice of Opposition to registration of the trademark GOLDWAVE (stylized) in International Class 9 (Serial No. 78/413,775) filed by the Opposer, Bose Corporation, be dismissed with prejudice and that Applicant be awarded such other relief as is deemed just and proper.

Dated: September 15, 2005

Respectfully submitted,

FLANSBERRY, MENARD & ASSOCIATES



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Attorneys for Applicant,
GOLDWAVE INCORPORATED

CERTIFICATE OF SERVICE

The undersigned certifies that a true and complete copy of the foregoing Answer to Notice of Opposition has been served upon the following counsel by delivering said copy on September 15, 2005, via overnight courier to:

Charles Hieken, Esq.
Cynthia Johnson Walden, Esq.
Amy Brosius, Esq.
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804



Mylene Dao